



WSHU 2010.1
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Lichtman et al.

Art Unit 1651

Serial No. 09/802,644

Filed March 9, 2001

Confirmation No. 8528

For METHOD FOR LABELING INDIVIDUAL CELLS

Examiner Weber

October 7, 2003

RESPONSE TO OFFICE ACTION

TO THE ASSISTANT COMMISSIONER FOR PATENTS,

SIR:

In response to the Office action dated March 27, 2003,
please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims
which begins on page 2 of this paper.

Remarks/Arguments begin on page 10 of this paper.

AMENDMENTS

This listing of claims will replace all prior versions and listings of claims in the prior application:

Claims 1-45 (Canceled)

Claim 46 (new) A method for individually labeling a cell within a population of cells whereby the cell is differentially labeled relative to neighboring cells within the population, the method comprising propelling a particle coated with a lipophilic hydrophobic dye at the population of cells to cause the particle to contact the membrane of the cell, and allowing the dye to diffuse into the cell membrane and thereby differentially label the cell relative to neighboring cells within the population.

Claim 47 (new) The method of claim 46, wherein the lipophilic hydrophobic dye is a fluorescent dye.

Claim 48 (new) The method of claim 46, wherein the fluorescent dye is a carbocyanine dye.

Claim 49 (new) The method of claim 48, wherein the dye is selected from the group consisting of DiO, DiI, DiD, and any combination thereof.

Claim 50 (new) The method of claim 46, wherein the propelling is by a gas means.